

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN THE MATTER OF

SERGIO LOPEZ CASTILLO

XXX-XX-1741

Debtor(s)

CASE NO. 18-03946-MCF

CHAPTER 7

ASSET CASE

**MOTION TO SUBMIT AMENDED CHAPTER 7 STATEMENT OF CURRENT
MONTHLY INCOME A AND CALCULATION OF COMMITMENT PERIOD AND DISPOSABLE INCOME**

TO THE HONORABLE COURT

NOW COMES, debtor through the undersigned attorney and very respectfully prays and states as follows:

1. Debtor submits amended Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income to correct item #5, 6, 16, 22, 25, 46.

WHEREFORE, it is respectfully requested from this Honorable Court to take notice of the official forms 22A-1 and 22A-2.

I HEREBY CERTIFY: that a copy of this motion was electronically filed by debtors using the CM/ECF System which will send a notification to the standing Chapter 7 Trustee and to all registered interested parties. In addition, a copy of this motion was sent by debtors' attorney to the debtors at the address of record and to all creditors and parties in interest appearing in the master address list not registered in CM/ECF.

RESPECTFULLY SUBMITTED

IN BAYAMON, PUERTO RICO, JANUARY 3, 2019.

/s/ Ramón F. López
RAMON F. LOPEZ, ESQ. (203813)
RAMON F. LOPEZ LAW OFFICES, P.S.C.
ATTORNEY FOR THE ABOVE NAMED DEBTOR
PO BOX 34173
FT BUCHANAN PR 00934
PHONE (787) 269-6297
ramonlopezlaw@gmail.com

Fill in this information to identify your case:

Debtor 1 **SERGIO LOPEZ CASTILLO**

Debtor 2 _____
(Spouse, if filing)

United States Bankruptcy Court for the: District of Puerto Rico

Case number _____
(if known)

Check one box only as directed in this form and in Form 122A-1 Supp:

- ☐ 1. There is no presumption of abuse
- ☒ 2. The calculation to determine if a presumption of abuse applies will be made under *Chapter 7 Means Test Calculation* (Official Form 122A-2).
- ☐ 3. The Means Test does not apply now because of qualified military service but it could apply later.

☒ Check if this is an amended filing

Official Form 122A - 1 Chapter 7 Statement of Your Current Monthly Income

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for being accurate. If more space is needed, attach a separate sheet to this form. Include the line number to which the additional information applies. On the top of any additional pages, write your name and case number (if known). If you believe that you are exempted from a presumption of abuse because you do not have primarily consumer debts or because of qualifying military service, complete and file *Statement of Exemption from Presumption of Abuse Under § 707(b)(2)* (Official Form 122A-1 Supp) with this form.

Part 1: Calculate Your Current Monthly Income

1. What is your marital and filing status? Check one only.

- ☒ **Not married.** Fill out Column A, lines 2-11.
- ☐ **Married and your spouse is filing with you.** Fill out both Columns A and B, lines 2-11.
- ☐ **Married and your spouse is NOT filing with you. You and your spouse are:**
- ☐ **Living in the same household and are not legally separated.** Fill out both Columns A and B, lines 2-11.
- ☐ **Living separately or are legally separated.** Fill out Column A, lines 2-11; do not fill out Column B. By checking this box, you declare under penalty of perjury that you and your spouse are legally separated under nonbankruptcy law that applies or that you and your spouse are living apart for reasons that do not include evading the Means Test requirements. 11 U.S.C § 707(b)(7)(B).

Fill in the average monthly income that you received from all sources, derived during the 6 full months before you file this bankruptcy case. 11 U.S.C. § 101(10A). For example, if you are filing on September 15, the 6-month period would be March 1 through August 31. If the amount of your monthly income varied during the 6 months, add the income for all 6 months and divide the total by 6. Fill in the result. Do not include any income amount more than once. For example, if both spouses own the same rental property, put the income from that property in one column only. If you have nothing to report for any line, write \$0 in the space.

	Column A Debtor 1	Column B Debtor 2 or non-filing spouse
2. Your gross wages, salary, tips, bonuses, overtime, and commissions (before all payroll deductions).	\$ 1,438.03	\$
3. Alimony and maintenance payments. Do not include payments from a spouse if Column B is filled in.	\$ 0.00	\$
4. All amounts from any source which are regularly paid for household expenses of you or your dependents, including child support. Include regular contributions from an unmarried partner, members of your household, your dependents, parents, and roommates. Include regular contributions from a spouse only if Column B is not filled in. Do not include payments you listed on line 3.	\$ 0.00	\$
5. Net income from operating a business, profession, or farm		
	Debtor 1	
Gross receipts (before all deductions)	\$ 4,351.18	
Ordinary and necessary operating expenses	-\$ 350.00	
Net monthly income from a business, profession, or farm	\$ 4,001.18	Copy here -> \$ 4,001.18
6. Net income from rental and other real property		
	Debtor 1	
Gross receipts (before all deductions)	\$ 966.67	
Ordinary and necessary operating expenses	-\$ 325.00	
Net monthly income from rental or other real property	\$ 641.67	Copy here -> \$ 641.67
		\$ 0.00
7. Interest, dividends, and royalties		

Debtor 1 **SERGIO LOPEZ CASTILLO**

Case number (if known)

Column A
Debtor 1

Column B
Debtor 2 or
non-filing spouse

\$ 0.00

\$

8. Unemployment compensation

Do not enter the amount if you contend that the amount received was a benefit under the Social Security Act. Instead, list it here:

For you \$ 0.00

For your spouse \$

9. Pension or retirement income. Do not include any amount received that was a benefit under the Social Security Act.

\$ 0.00

\$

10. Income from all other sources not listed above. Specify the source and amount. Do not include any benefits received under the Social Security Act or payments received as a victim of a war crime, a crime against humanity, or international or domestic terrorism. If necessary, list other sources on a separate page and put the total below.

\$ 0.00

\$

\$ 0.00

\$

+ \$ 0.00

\$

Total amounts from separate pages, if any.

11. Calculate your total current monthly income. Add lines 2 through 10 for each column. Then add the total for Column A to the total for Column B.

\$ 6,080.88

+

\$

= \$ 6,080.88

Total current monthly income

Part 2: Determine Whether the Means Test Applies to You

12. Calculate your current monthly income for the year. Follow these steps:

12a. Copy your total current monthly income from line 11

Copy line 11 here=>

\$ 6,080.88

Multiply by 12 (the number of months in a year)

x 12

12b. The result is your annual income for this part of the form

12b. \$ 72,970.56

13. Calculate the median family income that applies to you. Follow these steps:

Fill in the state in which you live.

PR

Fill in the number of people in your household.

2

Fill in the median family income for your state and size of household.

To find a list of applicable median income amounts, go online using the link specified in the separate instructions for this form. This list may also be available at the bankruptcy clerk's office.

13. \$ 23,768.00

14. How do the lines compare?

14a. ☐ Line 12b is less than or equal to line 13. On the top of page 1, check box 1, *There is no presumption of abuse.* Go to Part 3.

14b. ☒ Line 12b is more than line 13. On the top of page 1, check box 2, *The presumption of abuse is determined by Form 122A-2.* Go to Part 3 and fill out Form 122A-2.

Part 3: Sign Below

By signing here, I declare under penalty of perjury that the information on this statement and in any attachments is true and correct.

X /s/ SERGIO LOPEZ CASTILLO

SERGIO LOPEZ CASTILLO

Signature of Debtor 1

Date January 4, 2019

MM / DD / YYYY

If you checked line 14a, do NOT fill out or file Form 122A-2.

If you checked line 14b, fill out Form 122A-2 and file it with this form.

Fill in this information to identify your case:

Debtor 1 **SERGIO LOPEZ CASTILLO**
Debtor 2 _____
(Spouse, if filing)
United States Bankruptcy Court for the: District of Puerto Rico
Case number _____
(if known)

Check the appropriate box as directed in lines 40 or 42:

According to the calculations required by this Statement:

- ☒ 1. There is no presumption of abuse.
☐ 2. There is a presumption of abuse.

☒ Check if this is an amended filing

Official Form 122A - 2 Chapter 7 Means Test Calculation

04/16

To fill out this form, you will need your completed copy of *Chapter 7 Statement of Your Current Monthly Income* (Official Form 122A-1).

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for being accurate. If more space is needed, attach a separate sheet to this form, include the line number to which additional information applies. On the top any additional pages, write your name and case number (if known).

Part 1: Determine Your Adjusted Income

1. Copy your total current monthly income. _____ Copy line 11 from Official Form 122A-1 here=>..... \$ **6,080.88**

2. Did you fill out Column B in Part 1 of Form 122A-1?

- ☒ No. Fill in \$0 for the total on line 3.
☐ Yes. Is your spouse Filing with you?
☐ No. Go to line 3.
☐ Yes. Fill in \$0 for the total on line 3.

3. Adjust your current monthly income by subtracting any part of your spouse's income not used to pay for the household expenses of you or your dependents. Follow these steps:

On line 11, Column B of Form 122A-1, was any amount of the income you reported for your spouse NOT regularly used for the household expenses of you or your dependents?

- ☒ No. Fill in 0 for the total on line 3.
☐ Yes. Fill in the information below:

State each purpose for which the income was used

For example, the income is used to pay your spouse's tax debt or to support other than you or your dependents.

Fill in the amount you are subtracting from your spouse's income

\$ _____
\$ _____
\$ _____
\$ **0.00**

Total. _____

Copy total here=>... - \$ **0.00**

4. Adjust your current monthly income. Subtract line 3 from line 1.

\$ **6,080.88**

Debtor 1 **SERGIO LOPEZ CASTILLO**

Case number (if known)

Part 2: Calculate Your Deductions from Your Income

The Internal Revenue Service (IRS) issues National and Local Standards for certain expense amounts. Use these amounts to answer the questions in lines 6-15. To find the IRS standards, go online using the link specified in the separate instructions for this form. This information may also be available at the bankruptcy clerk's office.

Deduct the expense amounts set out in lines 6-15 regardless of your actual expense. In later parts of the form, you will use some of your actual expenses if they are higher than the standards. Do not deduct any amounts that you subtracted from your spouse's income in line 3 and do not deduct any operating expenses that you subtracted from income in lines 5 and 6 of form 122A-1.

If your expenses differ from month to month, enter the average expense.

Whenever this part of the form refers to *you*, it means both you and your spouse if Column B of Form 122A-1 is filled in.

5. The number of people used in determining your deductions from income

Fill in the number of people who could be claimed as exemptions on your federal income tax return, plus the number of any additional dependents whom you support. This number may be different from the number of people in your household.

2**National Standards** You must use the IRS National Standards to answer the questions in lines 6-7.

6. Food, clothing, and other items: Using the number of people you entered in line 5 and the IRS National Standards, fill in the dollar amount for food, clothing, and other items. \$ **1,202.00**

7. Out-of-pocket health care allowance: Using the number of people you entered in line 5 and the IRS National Standards, fill in the dollar amount for out-of-pocket health care. The number of people is split into two categories--people who are under 65 and people who are 65 or older--because older people have a higher IRS allowance for health care costs. If your actual expenses are higher than this IRS amount, you may deduct the additional amount on line 22.

People who are under 65 years of age

7a. Out-of-pocket health care allowance per person \$ **52**

7b. Number of people who are under 65 X **1**

7c. Subtotal. Multiply line 7a by line 7b. \$ **52.00** Copy here=> \$ **52.00**

People who are 65 years of age or older

7d. Out-of-pocket health care allowance per person \$ **114**

7e. Number of people who are 65 or older X **1**

7f. Subtotal. Multiply line 7d by line 7e. \$ **114.00** Copy here=> +\$ **114.00**

7g. Total. Add line 7c and line 7f \$ **166.00** Copy total here=> \$ **166.00**

Debtor 1 **SERGIO LOPEZ CASTILLO**

Case number (if known)

Local Standards You must use the IRS Local Standards to answer the questions in lines 8-15.

Based on information from the IRS, the U.S. Trustee Program has divided the IRS Local Standard for housing for bankruptcy purposes into two parts:

- ☒ Housing and utilities - Insurance and operating expenses
- ☒ Housing and utilities - Mortgage or rent expenses

To answer the questions in lines 8-9, use the U.S. Trustee Program chart.

To find the chart, go online using the link specified in the separate instructions for this form.
This chart may also be available at the bankruptcy clerk's office.8. **Housing and utilities - Insurance and operating expenses:** Using the number of people you entered in line 5, fill in the dollar amount listed for your county for insurance and operating expenses. \$ 585.009. **Housing and utilities - Mortgage or rent expenses:**9a. Using the number of people you entered in line 5, fill in the dollar amount listed for your county for mortgage or rent expenses. \$ 844.00

9b. Total average monthly payment for all mortgages and other debts secured by your home.

To calculate the total average monthly payment, add all amounts that are contractually due to each secured creditor in the 60 months after you file for bankruptcy. Then divide by 60.

Name of the creditor	Average monthly payment
ASOCIACION WALDORF TOWER	\$ <u>250.00</u>
BANCO SANTANDER	\$ <u>1,529.00</u>

Total average monthly payment

\$ 1,779.00Copy
here=>-\$ 1,779.00Repeat this
amount on
line 33a.

9c. Net mortgage or rent expense.

Subtract line 9b (total average monthly payment) from line 9a (mortgage or rent expense). If this amount is less than \$0, enter \$0.

\$ 0.00Copy
here=>\$ 0.0010. If you claim that the U.S. Trustee Program's division of the IRS Local Standard for housing is incorrect and affects the calculation of your monthly expenses, fill in any additional amount you claim. \$ 935.00

Explain why: _____

11. **Local transportation expenses:** Check the number of vehicles for which you claim an ownership or operating expense.☐ 0. Go to line 14.☒ 1. Go to line 12.☐ 2 or more. Go to line 12.12. **Vehicle operation expense:** Using the IRS Local Standards and the number of vehicles for which you claim the operating expenses, fill in the *Operating Costs* that apply for your Census region or metropolitan statistical area. \$ 230.00

Debtor 1 **SERGIO LOPEZ CASTILLO**

Case number (if known)

13. **Vehicle ownership or lease expense:** Using the IRS Local Standards, calculate the net ownership or lease expense for each vehicle below. You may not claim the expense if you do not make any loan or lease payments on the vehicle. In addition, you may not claim the expense for more than two vehicles.

Vehicle 1 Describe Vehicle 1:

13a. Ownership or leasing costs using IRS Local Standard..... \$ **0.00**

13b. Average monthly payment for all debts secured by Vehicle 1.
Do not include costs for leased vehicles.

To calculate the average monthly payment here and on line 13e, add all amounts that are contractually due to each secured creditor in the 60 months after you filed for bankruptcy. Then divide by 60.

Name of each creditor for Vehicle 1	Average monthly payment
-NONE-	\$

Total Average Monthly Payment

\$ **0.00**

Copy here => -\$ **0.00**

Repeat this amount on line 33b.

13c. Net Vehicle 1 ownership or lease expense

Subtract line 13b from line 13a. if this amount is less than \$0, enter \$0.

\$ **0.00**

Copy net Vehicle 1 expense here => \$

0.00

Vehicle 2 Describe Vehicle 2:

13d. Ownership or leasing costs using IRS Local Standard..... \$ **0.00**

13e. Average monthly payment for all debts secured by Vehicle 2. Do not include costs for leased vehicles.

Name of each creditor for Vehicle 2	Average monthly payment
	\$

Total Average Monthly Payment

\$

Copy here => -\$ **0.00**

Repeat this amount on line 33c.

13f. Net Vehicle 2 ownership or lease expense

Subtract line 13e from line 13d. if this amount is less than \$0, enter \$0.

\$ **0.00**

Copy net Vehicle 2 expense here => \$

0.00

14. **Public transportation expense:** If you claimed 0 vehicles in line 11, using the IRS Local Standards, fill in the *Public Transportation* expense allowance regardless of whether you use public transportation.

\$ **0.00**

15. **Additional public transportation expense:** If you claimed 1 or more vehicles in line 11 and if you claim that you may also deduct a public transportation expense, you may fill in what you believe is the appropriate expense, but you may not claim more than the IRS Local Standard for *Public Transportation*.

\$ **0.00**

Debtor 1 **SERGIO LOPEZ CASTILLO**

Case number (if known)

Other Necessary Expenses In addition to the expense deductions listed above, you are allowed your monthly expenses for the following IRS categories.

16. **Taxes:** The total monthly amount that you will actually owe for federal, state and local taxes, such as income taxes, self-employment taxes, social security taxes, and Medicare taxes. You may include the monthly amount withheld from your pay for these taxes. However, if you expect to receive a tax refund, you must divide the expected refund by 12 and subtract that number from the total monthly amount that is withheld to pay for taxes.
Do not include real estate, sales, or use taxes. \$ **1,611.00**
17. **Involuntary deductions:** The total monthly payroll deductions that your job requires, such as retirement contributions, union dues, and uniform costs.
Do not include amounts that are not required by your job, such as voluntary 401(k) contributions or payroll savings. \$ **0.00**
18. **Life Insurance:** The total monthly premiums that you pay for your own term life insurance. If two married people are filing together, include payments that you make for your spouse's term life insurance. Do not include premiums for life insurance on your dependents, for a non-filing spouse's life insurance, or for any form of life insurance other than term. \$ **0.00**
19. **Court-ordered payments:** The total monthly amount that you pay as required by the order of a court or administrative agency, such as spousal or child support payments.
Do not include payments on past due obligations for spousal or child support. You will list these obligations in line 35. \$ **0.00**
20. **Education:** The total monthly amount that you pay for education that is either required:
☒ as a condition for your job, or
☒ for your physically or mentally challenged dependent child if no public education is available for similar services. \$ **0.00**
21. **Childcare:** The total monthly amount that you pay for childcare, such as babysitting, daycare, nursery, and preschool.
Do not include payments for any elementary or secondary school education. \$ **0.00**
22. **Additional health care expenses, excluding insurance costs:** The monthly amount that you pay for health care that is required for the health and welfare of you or your dependents and that is not reimbursed by insurance or paid by a health savings account. Include only the amount that is more than the total entered in line 7.
Payments for health insurance or health savings accounts should be listed only in line 25. \$ **0.00**
23. **Optional telephone and telephone services:** The total monthly amount that you pay for telecommunication services for you and your dependents, such as pagers, call waiting, caller identification, special long distance, or business cell phone service, to the extent necessary for your health and welfare or that of your dependents or for the production of income, if it is not reimbursed by your employer.
Do not include payments for basic home telephone, internet and cell phone service. Do not include self-employment expenses, such as those reported on line 5 of Official Form 122A-1, or any amount you previously deducted. +\$ **0.00**
24. **Add all of the expenses allowed under the IRS expense allowances.**
Add lines 6 through 23. \$ **4,729.00**

Debtor 1

SERGIO LOPEZ CASTILLO

Case number (if known)

Additional Expense Deductions

These are additional deductions allowed by the Means Test.

Note: Do not include any expense allowances listed in lines 6-24.

25. **Health insurance, disability insurance, and health savings account expenses.** The monthly expenses for health insurance, disability insurance, and health savings accounts that are reasonably necessary for yourself, your spouse, or your dependents.

Health insurance	\$	<u>410.00</u>
Disability insurance	\$	<u>0.00</u>
Health savings account	+	\$ <u>0.00</u>

Total

\$ 410.00

Copy total here=>

\$ 410.00

Do you actually spend this total amount?

- ☐ No. How much do you actually spend?
☒ Yes

\$

26. **Continued contributions to the care of household or family members.** The actual monthly expenses that you will continue to pay for the reasonable and necessary care and support of an elderly, chronically ill, or disabled member of your household or member of your immediate family who is unable to pay for such expenses. These expenses may include contributions to an account of a qualified ABLE program. 26 U.S.C. § 529A(b).

\$ 325.00

27. **Protection against family violence.** The reasonably necessary monthly expenses that you incur to maintain the safety of you and your family under the Family Violence Prevention and Services Act or other federal laws that apply.

\$ 0.00

By law, the court must keep the nature of these expenses confidential.

28. **Additional home energy costs.** Your home energy costs are included in your insurance and operating expenses on line 8.

If you believe that you have home energy costs that are more than the home energy costs included in expenses on line 8, then fill in the excess amount of home energy costs.

You must give your case trustee documentation of your actual expenses, and you must show that the additional amount claimed is reasonable and necessary.

\$ 0.00

29. **Education expenses for dependent children who are younger than 18.** The monthly expenses (not more than \$160.42* per child) that you pay for your dependent children who are younger than 18 years old to attend a private or public elementary or secondary school.

You must give your case trustee documentation of your actual expenses, and you must explain why the amount claimed is reasonable and necessary and not already accounted for in lines 6-23.

\$ 0.00

* Subject to adjustment on 4/01/19, and every 3 years after that for cases begun on or after the date of adjustment.

30. **Additional food and clothing expense.** The monthly amount by which your actual food and clothing expenses are higher than the combined food and clothing allowances in the IRS National Standards. That amount cannot be more than 5% of the food and clothing allowances in the IRS National Standards.

To find a chart showing the maximum additional allowance, go online using the link specified in the separate instructions for this form. This chart may also be available at the bankruptcy clerk's office.

\$ 0.00

You must show that the additional amount claimed is reasonable and necessary.

31. **Continuing charitable contributions.** The amount that you will continue to contribute in the form of cash or financial instruments to a religious or charitable organization. 26 U.S.C. § 170(c)(1)-(2).

+\$ 20.00

32. **Add all of the additional expense deductions.**
 Add lines 25 through 31.

\$ 755.00

Debtor 1 **SERGIO LOPEZ CASTILLO**

Case number (if known)

Deductions for Debt Payment

33. For debts that are secured by an interest in property that you own, including home mortgages, vehicle loans, and other secured debt, fill in lines 33a through 33e.

To calculate the total average monthly payment, add all amounts that are contractually due to each secured creditor in the 60 months after you file for bankruptcy. Then divide by 60.

Mortgages on your home:

33a. Copy line 9b here \Rightarrow **Average monthly payment**
\$ **1,779.00**

Loans on your first two vehicles:

33b. Copy line 13b here \Rightarrow \$ **0.00**

33c. Copy line 13e here \Rightarrow \$ **0.00**

33d. List other secured debts:

Name of each creditor for other secured debt	Identify property that secures the debt	Does payment include taxes or insurance?	
-NONE-		<input type="checkbox"/> No	
		<input type="checkbox"/> Yes	\$
		<input type="checkbox"/> No	
		<input type="checkbox"/> Yes	\$
		<input type="checkbox"/> No	
		<input type="checkbox"/> Yes	+\$

33e. Total average monthly payment. Add lines 33a through 33d \Rightarrow \$ **1,779.00** Copy total here \Rightarrow \$ **1,779.00**

34. Are any debts that you listed in line 33 secured by your primary residence, a vehicle, or other property necessary for your support or the support of your dependents?

☐ No. Go to line 35.

☒ Yes. State any amount that you must pay to a creditor, in addition to the payments listed in line 33, to keep possession of your property (called the *cure amount*). Next, divide by 60 and fill in the information below.

Name of the creditor	Identify property that secures the debt	Total cure amount	Monthly cure amount
ASOCIACION WALDORF TOWER	COND WALDORT TOWER 4123 AVE ISLA VERDE APT 905 Carolina, PR 00979 Carolina County 948.38 SQ FT. APARTMENT WITH LIVING AND DINING ROOMS, 2 BEDROOMS, 1 BATH, KITCHEN. (LESS 10% SALE COST).	\$ 750.00	$\div 60 =$ \$ 12.50
BANCO SANTANDER	COND WALDORT TOWER 4123 AVE ISLA VERDE APT 905 Carolina, PR 00979 Carolina County 948.38 SQ FT. APARTMENT WITH LIVING AND DINING ROOMS, 2 BEDROOMS, 1 BATH, KITCHEN. (LESS 10% SALE COST).	\$ 5,046.00	$\div 60 =$ \$ 84.10
		\$	$\div 60 =$ +\$

Total \$ **96.60** Copy total here \Rightarrow \$ **96.60**

Debtor 1

SERGIO LOPEZ CASTILLO

Case number (if known)

35. Do you owe any priority claims such as a priority tax, child support, or alimony - that are past due as of the filing date of your bankruptcy case? 11 U.S.C. § 507.

☐ No. Go to line 36.

☒ Yes. Fill in the total amount of all of these priority claims. Do not include current or ongoing priority claims, such as those you listed in line 19.

Total amount of all past-due priority claims

\$ 17,193.13 + 60 = \$ 286.55

Debtor 1 **SERGIO LOPEZ CASTILLO**

Case number (if known)

36. Are you eligible to file a case under Chapter 13? 11 U.S.C. § 109(e).
For more information, go online using the link for *Bankruptcy Basics* specified in the separate instructions for this form. *Bankruptcy Basics* may also be available at the bankruptcy clerk's office.

- ☐ No. Go to line 37.
☐ Yes. Fill in the following information.

Projected monthly plan payment if you were filing under Chapter 13 \$ _____
Current multiplier for your district as stated on the list issued by the Administrative Office of the United States Courts (for districts in Alabama and North Carolina) or by the Executive Office for United States Trustees (for all other districts) X _____

To find a list of district multipliers that includes your district, go online using the link specified in the separate instructions for this form. This list may also be available at the bankruptcy clerk's office.

Average monthly administrative expense if you were filing under Chapter 13 \$ _____

Copy total here=> \$ _____

37. Add all of the deductions for debt payment.
Add lines 33e through 36.

\$ **2,162.15**

Total Deductions from Income

38. Add all of the allowed deductions.

Copy line 24, All of the expenses allowed under IRS expense allowances \$ **4,729.00**
Copy line 32, All of the additional expense deductions \$ **755.00**
Copy line 37, All of the deductions for debt payment +\$ **2,162.15**

Total deductions

\$ **7,646.15**

Copy total here.....=> \$ **7,646.15**

Part 3: Determine Whether There is a Presumption of Abuse

39. Calculate monthly disposable income for 60 months

39a. Copy line 4, adjusted current monthly income \$ **6,080.88**

39b. Copy line 38, Total deductions - \$ **7,646.15**

39c. Monthly disposable income. 11 U.S.C. § 707(b)(2).
Subtract line 39b from line 39a

\$ **-1,565.27**

Copy here=> \$ **-1,565.27**

For the next 60 months (5 years) _____ x 60

39d. Total. Multiply line 39c by 60

39d. \$ **-93,916.20**

Copy here=>

\$ **-93,916.20**

40. Find out whether there is a presumption of abuse. Check the box that applies:

- ☒ The line 39d is less than \$7,700*. On the top of page 1 of this form, check box 1, *There is no presumption of abuse*. Go to Part 5.
☐ The line 39d is more than \$12,850*. On the top of page 1 of this form, check box 2, *There is a presumption of abuse*. You may fill out Part 4 if you claim special circumstances. Go to Part 5.
☐ The line 39d is at least \$7,700*, but not more than \$12,850*. Go to line 41.

*Subject to adjustment on 4/01/19, and every 3 years after that for cases filed on or after the date of adjustment.

Debtor 1

SERGIO LOPEZ CASTILLO

Case number (if known)

41. 41a. Fill in the amount of your total nonpriority unsecured debt. If you filled out A Summary of Your Assets and Liabilities and Certain Statistical Information Schedules (Official Form 106Sum), you may refer to line 3b on that form.

\$
x .25

- 41b. 25% or your total nonpriority unsecured debt. 11 U.S.C. § 707(b)(2)(A)(i)(I)
Multiply line 41a by 0.25.....

\$

Copy
here=>

\$

42. Determine whether the income you have left over after subtracting all allowed deductions is enough to pay 25% of your unsecured, nonpriority debt.
Check the box that applies:

- ☐ Line 39d is less than line 41b. On the top of page 1 of this form, check box 1, *There is no presumption of abuse.* Go to Part 5.
- ☐ Line 39d is equal to or more than line 41b. On the top of page 1 of this form, check box 2, *There is a presumption of abuse.* You may fill out Part 4 if you claim special circumstances. Then go to Part 5.

Part 4: Give Details About Special Circumstances

43. Do you have any special circumstances that justify additional expenses or adjustments of current monthly income for which there is no reasonable alternative? 11 U.S.C. § 707(b)(2)(B).

☐ No. Go to Part 5.

☒ Yes. Fill in the following information. All figures should reflect your average monthly expense or income adjustment for each item. You may include expenses you listed in line 25.

You must give a detailed explanation of the special circumstances that make the expenses or income adjustments necessary and reasonable. You must also give your case trustee documentation of your actual expenses or income adjustments.

Give a detailed explanation of the special circumstances

Average monthly expense
or income adjustment

NO MORE INCOME FROM RENTAL

\$ 1,450.00

NO MORE INCOME FROM CARIBBEAN

\$ 4,127.00

MOTHERS RENT EXPENSES

\$ 1,175.00

\$

Part 5: Sign Below

By signing here, I declare under penalty of perjury that the information on this statement and in any attachments is true and correct.

X /s/ **SERGIO LOPEZ CASTILLO**
SERGIO LOPEZ CASTILLO
Signature of Debtor 1

Date **January 4, 2019**
MM / DD / YYYY

Debtor 1 **SERGIO LOPEZ CASTILLO**

Case number (if known)

Current Monthly Income Details for the Debtor

Debtor Income Details:

Income for the Period **07/01/2018** to **12/31/2018**.

Line 2 - Gross wages, salary, tips, bonuses, overtime, commissions
 Source of Income: **Employer: NEW ENERGY CONSULTANTS & CONT**
 Constant income of **\$1,438.03** per month.*

Line 5 - Income from operation of a business, profession, or farm

Source of Income: **CARIBBEAN CLAIMS ADJUSTERS PR**

Income/Expense/Net by Month:

	Date	Income	Expense	Net
6 Months Ago:	07/2018	\$8,343.08	\$350.00	\$7,993.08
5 Months Ago:	08/2018	\$7,183.00	\$350.00	\$6,833.00
4 Months Ago:	09/2018	\$3,151.00	\$350.00	\$2,801.00
3 Months Ago:	10/2018	\$3,540.00	\$350.00	\$3,190.00
2 Months Ago:	11/2018	\$1,765.00	\$350.00	\$1,415.00
Last Month:	12/2018	\$2,125.00	\$350.00	\$1,775.00
Average per month:		\$4,351.18	\$350.00	
Average Monthly NET Income:				\$4,001.18

Line 6 - Rent and other real property income

Source of Income: **RENT**

Income/Expense/Net by Month:

	Date	Income	Expense	Net
6 Months Ago:	07/2018	\$1,450.00	\$325.00	\$1,125.00
5 Months Ago:	08/2018	\$1,450.00	\$325.00	\$1,125.00
4 Months Ago:	09/2018	\$1,450.00	\$325.00	\$1,125.00
3 Months Ago:	10/2018	\$1,450.00	\$325.00	\$1,125.00
2 Months Ago:	11/2018	\$0.00	\$325.00	\$-325.00
Last Month:	12/2018	\$0.00	\$325.00	\$-325.00
Average per month:		\$966.67	\$325.00	
Average Monthly NET Income:				\$641.67

Debtor 1 **SERGIO LOPEZ CASTILLO**

Case number (if known)

Paycheck Details:*NEW ENERGY CONSULTANTS & CONTRACTORS, LL**

Date	Earnings	Overtime	Taxes	Other	Net Check
2018-08-10	276.80	0.00	22.00	0.00	254.80
2018-08-24	692.00	0.00	79.24	0.00	612.76
2018-09-07	692.00	0.00	79.21	0.00	612.79
2018-09-21	961.97	0.00	119.62	0.00	842.35
2018-10-05	692.00	0.00	79.22	0.00	612.78
2018-10-19	692.00	0.00	79.22	0.00	612.78
2018-11-02	692.31	0.00	79.27	0.00	613.04
2018-11-16	697.82	0.00	0.00	0.00	697.82
2018-11-30	991.97	0.00	126.19	0.00	865.78
2018-12-07	100.00	0.00	7.95	0.00	92.05
2018-12-14	692.31	0.00	79.27	0.00	613.04
2018-12-28	1,446.99	0.00	224.96	0.00	1,222.03
Totals:	8,628.17	0.00	976.15	0.00	7,652.02

18-03946-MCF13 SERGIO LOPEZ CASTILLO

Case type: bk Chapter: 13 Asset: Yes Vol: v US BANKRUPTCY JUDGE: MILDRED CABAN FLORES

Date filed: 07/12/2018 Date of last filing: 01/03/2019

Creditors

AEE PO BOX 363508 San Juan, PR 00936	(4607823) (cr)
AMERICAN EXPRESS PO BOX 1270 Newark, NJ 07101-1270	(4607824) (cr)
ANGEL OQUENDO 4123 AVE ISLA VERDE COND WALDORF TOWER APT0 905 Carolina, PR 00979	(4607825) (cr)
ANTILLES 2012 AVE GILBERTO MONROIG VILLA PALMERAS San Juan, PR 00912	(4607826) (cr)
ASOCIACION WALDORF TOWER 4123 AVE ISLA VERDE Carolina, PR 00979	(4607827) (cr)
BALLESTER HERMANOS PO BOX 34548 San Juan, PR 00936-4548	(4607828) (cr)
BANCO POPULAR DE PUERTO RICO BANKRUPTCY DEPARTMENT PO BOX 366818 SAN JUAN PR 00936-6818	(4612071) (cr)
Banco Popular de Puerto Rico Special Loans Special Loans Department (749) PO Box 362708, San Juan, PR 00936-2708	(4623099) (cr)
BANCO SANTANDER PO BOX 70117 San Juan, PR 00936	(4607829) (cr)
BANCO SANTANDER - PUERTO RICO PO BOX 362589 SAN JUAN, PR 00936-2589	(4619220) (cr)
BPPR PO BOX 362708 San Juan, PR 00936	(4607832) (cr)
BPPR PO BOX 362708 San Juan, PR 00936	(4607833) (cr)
BPPR PO BOX 71375 San Juan, PR 00936-7077	(4607830) (cr)

BPPR PO BOX 362708 San Juan, PR 00936	(4607831) (cr)
BPPR MORTGAGE PO BOX 362708 San Juan, PR 00936	(4607834) (cr)
BUFETE TROCHE SIBERON, DAVILA TORRES, CS PO BOX 22970 San Juan, PR 00931-3383	(4607837) (cr)
BUFETE TROCHE SIBERON, DAVILA TORRES, CS PO BOX 22970 San Juan, PR 00931-3383	(4607836) (cr)
BUFETE TROCHE SIBERON, DAVILA TORRES, CS PO BOX 22970 San Juan, PR 00931-3383	(4607835) (cr)
CASTRO CASH & CARRY 2012 AVE GILBERTO MONROIG VILLA PALMERAS San Juan, PR 00923	(4607838) (cr)
CORP. DEL FONDO DEL SEGURO DEL ESTADO PO BOX 365028 San Juan, PR 00936-5028	(4607839) (cr)
CRIM PO BOX 195383 San Juan, PR 00919-5383	(4607840) (cr)
CRIM PO BOX 195383 San Juan, PR 00919-5383	(4607841) (cr)
DEL GAS CORP CARR 829 KM 0.7 Bayamon, PR 00960	(4607842) (cr)
DEPARTAMENTO DE HACIENDA PO BOX 9024140 San Juan, PR 00902-4140	(4607844) (cr)
DEPARTAMENTO DE HACIENDA PO BOX 9024140 San Juan, PR 00902-4140	(4607843) (cr)
DEPARTMENT OF TREASURY BANKRUPTCY SECTION 424 B PO BOX 9024140 SAN JUAN, PR 00902-4140	(4630151) (cr)
DESTILERIA SERRALLES, INC APARTADO 198 REXCO INDUSTRIAL PARK Guaynabo, PR 00965	(4607845) (cr)
DORAL BANK PO BOX 70308 San Juan, PR 00936-8308	(4607847) (cr)
DORAL BANK PO BOX 70308 San Juan, PR 00936-8308	(4607846) (cr)

FERNANDO CORONEL URB OCEAN PARK 64 RAMBLA DEL ALMIRANTE SAN JUAN, PR	(4607848) (cr)
INTERNAL REVENUE SERVICE PO BOX 7346 Philadelphia, PA 19101-7346	(4607850) (cr)
INTERNAL REVENUE SERVICE PO BOX 7346 Philadelphia, PA 19101-7346	(4607849) (cr)
JOE & VIC 1106 AVE FERNANDEZ JUNCOS San Juan, PR 00908	(4607851) (cr)
JOSE SANTIAGO, INC PO BOX 191795 San Juan, PR 00919-1795	(4607852) (cr)
LCDO JUAN D. GARCIA CHAMORRO 1606 AVE PONCE DE LEON 900 San Juan, PR 00909	(4607853) (cr)
MARITERE RIVERA RIVERA PR	(4607854) (cr)
MUNICIPIO CAROLINA PO BOX 8 Carolina, PR 00984-0008	(4607855) (cr)
MUNICIPIO DE LOIZA PO BOX 508 Loiza, PR 00772-0508	(4607856) (cr)
MUNICIPIO SAN JUAN PO BOX 70179 San Juan, PR 00936-8179	(4607857) (cr)
NORTH WESTERN SELECTA PO BOX 10718 San Juan, PR 00922	(4607858) (cr)
NORWESTERN SELECTGA URB IND. JULIA San Juan, PR 00923	(4607859) (cr)
OLGA WALKER/DIANA VALIENTE LENO 1112 CHARTER ST Piscataway, NJ 08854	(4607860) (cr)
PEPSI CARR 2 KM 19.4 Bayamon, PR 00958	(4607861) (cr)
PR TELEPHONE CO PO BOX 70367 San Juan, PR 00936-8367	(4607862) (cr)
PROVIMI 155 KM 54.7 LAS GRANJAS Vega Baja, PR 00693	(4607863) (cr)
RUSHMORE LOAN MANAGEMENT SERVICES, LLC SERVICER FOR	(4612850) (cr)

ROOSEVELT CAYMAN ASSET COMPANY III
PO BOX 11907
SAN JUAN, PR 00922

SEA WORLD
1268 CALLE 30 SE
CAPARRA TERRACE
San Juan, PR 00923

(4607864)
(cr)

V SUAREZ & CO
INDUSTRIAL LUCHETI
San Juan, PR 00936

(4607865)
(cr)

PACER Service Center			
Transaction Receipt			
01/04/2019 12:47:19			
PACER Login:	ramon123:2700030:0	Client Code:	
Description:	Creditor List	Search Criteria:	18-03946-MCF13 Creditor Type: All
Billable Pages:	2	Cost:	0.20